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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,844	01/03/2001	Stephan Meyers	4925-55	3228

7590

05/24/2004

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EXAMINER

VU, THANH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 05/24/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/753,844	Applicant(s) MEYERS ET AL. <span style="float: right;">2</span>	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, and 14-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee et al. (“Lee”, U.S. Pat. No. 5,748,789).

Per claim 1, Lee teaches a system for providing discretionary viewing control in displaying data, comprising:

a display for displaying data, the display comprising a plurality of pixels (figs. 2A and 2B; col. 7, lines 1-10) and

an integrated circuit in connection with said display for processing said data (figs. 2A and 2B; col. 6, lines 29-41; col. 7, lines 1-10),

said data including at least first and second portions of data that are linked together, the first portion including payload data (col. 7, lines 1-15) and the second portion including metadata (col. 8, lines 19-30),

said payload data providing content to each pixel of the plurality of pixels at the display independently (col. 7, lines 1-15) and said metadata has a value selected from a predefined set of values and identifies each pixel at the display independently (col. 8, lines 19-39);

whereby the processable pixels at the display are classified according to a particular metadata value selected from the predefined set of values (col. 8, lines 19-39).

Per claim 2, Lee teaches the system claim 1, wherein the integrated circuit comprises a filter for one of blocking and obscuring the content of each of the plurality of pixels that has a metadata value that exceeds a discretionary threshold value without preventing the display of the content of the plurality of pixels that does not have a metadata value that exceeds the discretionary threshold value (col. 3, lines 40-55; col. 9, lines 15-33; col. 10, lines 16).

Claims 3-4 are rejected under the same rationale as claims 1-2 respectively.

Claim 14, is rejected under the same rationale as claim 1.

Per claim 15, Lee teaches the data frame of claim 14, wherein the content comprises multiple channels of content (col. 7, lines 47-50).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. ("Lee", U.S. Pat. No. 5,748,789) in view of Reilly (U.S. Pat. No. 6,580,422).

Per claim 5, Lee teaches the method of claim 3, but does not teach wherein the display is a display on a wireless terminal, and the step of supplying data to the display comprises supplying said data to the display on the wireless terminal. However, Reilly teaches the display is a display on a wireless terminal, and the step of supplying data to the display comprises

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supplying said data to the display on the wireless terminal (col. 2, lines 1-10 and lines 23-29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the wireless computer as taught by Reilly in the invention of Lee in order to provide users with transfer of display information to a remote computer through a wireless data link.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Krishan et al. (U.S. Pat. No. 6,442,529) discloses method and apparatus for delivering targeted information and advertising over the internet.

Hoyle (U.S. Pat. No. 6,628,3214) discloses computer interface method and apparatus with targeted advertising.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (703)-308-9119. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu  
05/13/04

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